

filed timely objections, the Court reviews the report and recommendation for clear error, finding none.

At issue is PRO's failure to timely file its Rule 7.1(a)(2) disclosure statement, which was due upon the filing of its Motion to Dismiss in November 2024. (Doc. 4). Under Federal Rule of Civil Procedure 7.1, in diversity jurisdiction cases like this one, parties must file disclosure statements identifying the citizenship of every individual or entity whose citizenship is attributed to the party, unless the Court directs otherwise. Fed. R. Civ. P. 7.1(a)(2). These statements serve an essential purpose, allowing courts to determine diversity with early and accurate precision. *Manssor v. NRRM, LLC*, No. EP-23-CV-00236, 2023 WL 4093413, at *1 (W.D. Tex. June 20, 2023); Fed. R. Civ. P. 7.1(a)(2) (advisory committee's note to 2022 amendment).

PRO blew past that initial deadline. Then, several months ago, it informed the Court that it would file the required disclosure "shortly." (Doc. 9 at 10). But as of the date of the report and recommendation, PRO had failed, yet again, to file.

Because the Court still lacked the disclosures, the report and recommendation suggested that this Court deny PRO's motion to dismiss without prejudice and, upon adoption of the report by this Court, that PRO be ordered to file the disclosures within 30 days. (Doc. 11 at 4). The Court now reviews the report and recommendation, and PRO has since filed its required disclosures. (Doc. 12).

Because a report and recommendation is based off the record before it at the time it is issued, and because at the time of its issuance, PRO had yet to file its disclosures, the Court **ADOPTS** the Report and Recommendation of the United States Magistrate Judge.

(Doc. 4). Defendant's motion to dismiss, (Doc. 4), is therefore **DENIED WITHOUT PREJUDICE**. But because PRO has since filed its disclosures, it may now refile its motion to dismiss.

It is so **ORDERED**.

SIGNED this 24th day of April, 2025.

A handwritten signature in black ink, appearing to read "David Counts", written over a horizontal line.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE